

# STUDENT LIFE POLICIES



The College of William and Mary  
in Virginia  
1972



# Student Life Policies

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The College of William and Mary in Virginia  
Williamsburg, Virginia

## PREFACE

**T**HIS PUBLICATION is designed to acquaint the student with the basic policies of the institution and the agencies which have principal roles in the development and administration of these policies. Officers of the College and members of the faculties will be glad to supplement the information presented here in any way that may be helpful.

# CONTENTS

STUDENT AFFAIRS . . . . .	1
<i>Authority and Agencies</i> . . . . .	1
General Statement . . . . .	1
The Board of Student Affairs . . . . .	1
Student Government . . . . .	2
Women's Dormitory Association . . . . .	2
Residence Hall Councils . . . . .	3
<i>Policies and Regulations</i> . . . . .	3
Residence Hall Life . . . . .	3
Personal Conduct . . . . .	8
Violations of Law . . . . .	8
Public Performances . . . . .	8
Alcoholic Beverage Policy . . . . .	8
Disruptive Conduct . . . . .	9
Drugs . . . . .	9
Possession and Use of Motor Vehicles . . . . .	10
Inspection and Search of Student Living Quarters . . . . .	10
<i>Administration of Policies and Regulations</i> . . . . .	11
Basic Policy . . . . .	11
Composition of the Discipline Committee . . . . .	11
Procedure . . . . .	12
Penalties . . . . .	13
Right of Appeal . . . . .	14
THE HONOR SYSTEM . . . . .	15
History . . . . .	15
Meaning . . . . .	16
Administration . . . . .	18
Principles . . . . .	19
Amendment . . . . .	21
Procedures . . . . .	21
A STATEMENT OF RIGHTS AND RESPONSIBILITIES . . . . .	30
Access to Education . . . . .	31
In the Classroom . . . . .	32
Student Records . . . . .	33
Student Affairs . . . . .	34
ADDENDUM . . . . .	40
Disruptive Conduct . . . . .	40



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# STUDENT AFFAIRS

## AUTHORITY AND AGENCIES

### *General Statement*

The achievement of the educational purposes of the College is a responsibility shared by all elements of the College community. While the Board of Visitors, the President, and the administrative officers bear the ultimate responsibility and authority, a direct responsibility rests also on students and faculty to maintain on the campus, in the classrooms, and in the residence halls, the environment necessary for the pursuit of scholarly activities, the protection of the rights of others, and the assurance of the opportunity for personal growth and development. In the formulation and administration of rules of conduct students express their responsibility by participation in Student Government, in Residence Councils, in the Discipline Committee, and in the Honor Council.

As citizens, students enjoy the same rights and responsibilities as those outside the College community. The College considers the observance of public laws of equal importance with the observance of its own regulations. Students should note that in addition to laws governing the conduct of all citizens the Code of Virginia contains specific provisions relating to colleges and universities that prohibit hazing; malicious burning or destruction by explosives of any college building or any other malicious destruction of college property; threats to bomb, burn, or destroy any school building; and bribery of any amateur sport participant.

The College's policies and regulations applicable to nonacademic affairs of students are set forth in the section of this booklet entitled Policies and Regulations; academic regulations will be found in the College catalog.

### *The Board of Student Affairs*

The Board of Student Affairs consists of representatives of the student body, faculty, and administration. The 23 member body is responsible for formulating policy recommendations relating to student regulations, and forwards such recommendations to the Vice President for Student Affairs for decision, consideration, comments, or recommendation. The Board has full power to investigate any area of the College pertaining to student concerns, and presents its opinions in the form of recommendations to the appropriate authorities. In addition, the Board has final authority over the allocation of the Student Activities Fee.

## *Student Government*

Undergraduate student government is vested in the Student Association of the College of William and Mary composed of Executive, Legislative, and Judicial branches.

The executive branch consists of the Student Body President, Vice President, Secretary, Treasurer, and all administrative assistants of the Student Body President. The executive branch has the responsibility to oversee all functions and activities of the Student Association, as defined by the Student Association Constitution and its By-Laws. The Student Body President is responsible for the execution of all Senate legislation and is the official representative of the Student Body. He is also responsible for the overall organization and direction of the Student Association.

The Student Senate is the legislative branch of the Student Association. The Senate is composed of elected representatives chosen from the undergraduate student body and is chaired by a speaker elected by the Senate. Representation in the Student Senate is proportionately based on the number of students in the residence halls and off-campus. A Senator is responsible for representing his or her constituency and for participating actively on one or more of the Senate Committees. The Student Senate has the power of recommendation concerning all areas of student life. Senate recommendations are forwarded to the Student Association President for presentation to the Board of Student Affairs, the Faculty, or the appropriate administrator.

The judicial branch of the Student Association consists of the Joint Honor Council. This Council is vested with the power of interpreting the Student Association Constitution and its By-Laws.

## *Women's Dormitory Association*

The Women's Dormitory Association is the representative body for the women of William and Mary.

The Executive Council of the WDA consists of the elected officers: President, Vice President, Secretary, and Treasurer. This Council plays an active role in the selection and orientation of Sponsors and Resident Assistants. Through its appointed committees, the Executive Council coordinates day student activities, maintains an Information Referral Service, and aids the Assistant Dean of Women in spring room selection.

The Judicial Branch of WDA consists of the Dormitory Councils, which handle infractions of student-established regulations. The chairmen of the Dormitory Councils and the WDA Vice President form the WDA Executive Committee.



## *Residence Hall Councils*

Residence Hall Councils are composed of elected officers of each residence hall and are responsible for the governance of the hall. More detailed information will be found in the section of this booklet entitled "Residence Hall Life."

## POLICIES AND REGULATIONS

### *Residence Hall Life*

#### A. RESIDENCE

All freshman and sophomore students under 21 years of age, except those who commute daily from their homes, are required to live in the College residence halls. The residence halls are not open for occupancy during the Thanksgiving, Christmas, and Spring recess periods, and students carrying a part-time program of studies are not permitted to reside in the residence halls.

All resident undergraduate students who are classified as freshmen, unless they have attended College for two semesters, are required to board in the College dining halls. For all other students boarding in the dining halls is optional.

#### B. GENERAL PROVISIONS

The Vice President for Student Affairs, the Dean of Students, Dean of Men, Dean of Women, Assistant Deans, and the staff of residence halls (head residents, housemothers, resident counselors and resident assistants) are responsible for enforcing the following regulations. Willful violation of these regulations will result in a penalty ranging from reprimand to suspension unless otherwise specified.

##### 1. Conduct

Conduct which violates the rights of others or which violates official regulations of either the College or the appropriate Residence Hall Council is prohibited. If the conduct is in violation of a regulation established by a Residence Hall Council, that body shall have original jurisdiction in the matter.

##### 2. Damages to College Property, Rooms, Furnishings

Damages to rooms and the furnishings therein will be charged to the occupant(s) unless the identity of others responsible for the damage is known. Pictures, maps, papers, pennants, and the like, may be hung only from the molding and are not to be taped or

otherwise fastened to the walls. Marking on the walls is regarded as damage and will be charged accordingly. College furniture may not be painted or otherwise refinished nor may furniture be removed from the room in which it has been placed.

Damage to the common areas in residence halls and their furnishings (including vending machines and other equipment placed in the residence halls as a convenience to the residents) will be charged to the person(s) responsible. Lounge furniture may not be moved from the common areas.

3. Motorized Vehicles and Bicycles

Motorized vehicles and bicycles may not be parked in the residence hall or in any areas except those designated for student parking. (For more detailed information, the student should refer to the Student Motor Vehicle Rules and Regulations.)

4. Pets

For sanitary reasons, dogs and other pets may not be kept in the residence halls.

5. Electrical Equipment

Refrigerators which operate on 5 amperes or 600 watts current or less are permitted in individual student rooms. Other appliances are permitted only upon approval by the Superintendent of Buildings and Grounds. Requests for approval must be initiated through the Office of the Dean in charge of housing. Under no conditions will appliances which draw more than 600 watts or 5 amperes be approved. Air conditioners are specifically prohibited.

6. Firearms and Fireworks

Firearms may not be kept in residence halls. The possession of fireworks or the exploding of fireworks in the residence halls or elsewhere on the campus is prohibited.

7. Solicitation by Students or Others

Except by written approval, solicitation or sale of goods on campus or in the residence halls is prohibited. Approval for solicitation by students must be obtained through the Office of the Director of Student Aid. Approval for solicitation by non-students must be obtained through the Office of the Dean of Students.

## C. SELF-DETERMINATION AND SECURITY

Residence Hall Councils are accountable to the President of the College, or such official as he may designate, for the proper implementa-

tion and administration of the following policies. Upon request of the Board of Student Affairs or at the initiative of the President of the College these policies are subject to review, reconsideration and revision.

Violation of these principles by individual students will result in penalties ranging from removal of privileges to suspension upon the decision or recommendation of the residence hall council or the recommendation of the appropriate Dean of Housing.

*Self-determination*—Each student living in a residence hall (including fraternities and sororities) will have self-determination as to his or her freedom of movement in and out of his or her residence hall and self-determination as to the hours of such movement. Students residing in each residence hall shall, in addition, have self-determination in establishing the policies, procedures, and administration of visitation by guests for that hall, including guests of the opposite sex. In the exercise of the principle of self-determination, policies and procedures will be developed by the residence hall council of each unit to insure the individual's right of privacy and freedom of personal choice and movement. These policies and procedures must be fully consonant with the security system employed in the residence halls. It is assumed that each visitor to a residence hall will be a welcome guest of a resident of that hall and that the policies and procedures adopted by the residence hall councils will be compatible with the academic objectives of a residential educational community of its citizens. Visitation by members of the opposite sex will not be permitted until the Residence Hall Council has been organized and these policies and procedures implemented.

*Security*—An electronic card-key security system is employed in the residence halls for the protection of the residents. Each resident is issued a card-key to his residence for a fee which is refundable upon return of the key. Card-keys must be relinquished promptly upon request by the appropriate housing office and must be returned upon withdrawal, when moving from one residence to another, and at the close of each session. A fee will be charged for replacement of a lost card and disciplinary action may be taken in the event that a student refuses to relinquish his or her card upon request.

All residence halls will operate on the electronic security system while College is in session during the hours listed below:

Sunday-Thursday	12 midnight to 7:00 a.m.
Friday	1:00 a.m. to 7:00 a.m.
Saturday	2:00 a.m. to 7:00 a.m.

Individual residence halls may elect to close their residences at an earlier hour and to reopen them at a later time should the residents so desire.

#### D. Governance of Residence Halls

Students who reside in residence halls exercise responsibility and self-governance through the residence hall council.

1. Composition and Organization—During the first week of classes of the academic session, each residence hall (the sections of the Bryan Complex, the Ludwell Apartments, the new dormitory complex, and the sorority and fraternity houses are considered as individual residence halls) shall elect a residence hall council consisting of at least one representative from each floor or section of the unit. The officers of the residence hall council shall be a chairman, vice chairman, secretary and/or treasurer and whatever other positions are deemed necessary. The resident counselor, head resident, house-mother, or resident assistant responsible for the residence may serve as an advisor to the council. Election of councils in the freshman residence halls may be deferred beyond the first week of classes but may not be delayed beyond the fourth week of the session. Any member of the residence hall council shall be subject to recall proceedings when the council has received a petition signed by 30% of the residents. A majority vote of the residents is required for recall of a council member and the election to determine the status of the member must be held within 10 days of the receipt of the petition.
2. Rights and Responsibilities
  - a. The residence hall council has the responsibility for organizing the social and recreational activities of the residence hall. The council has the right to appoint the committees necessary to this function and the right to establish dues and receive contributions as a means of support for its programs.
  - b. The residence hall council has a responsibility to insure the maintenance and enhancement of an environment in the residence hall compatible with the academic objectives of a residential community. Among the rights of the council which are necessary to this function is the right to represent the residents of the unit in matters which pertain to needed physical improvements in the residence, especially in the case of those which require long-term planning. The council also has the right to arrange for programs of an informative nature in the resi-

dence hall according to the needs and interests of the residents. Committees may be appointed to accomplish these ends.

- c. The residence hall council has the responsibility for administering and enforcing rules and regulations established by the residents of the unit. In the exercise of this function the council must take special care to insure the residents' rights of privacy and freedom of personal choice and movement, a level of conduct which respects the rights of others, and whatever procedures are appropriate to effective maintenance of the security system in the residence.
3. The residence hall council has the right to hold referenda to determine the rules and regulations of the unit subject to the following considerations:
    - a. No rule or regulation may be established which is inconsistent with or contrary to the rules, regulations and policies of the College.
    - b. All rules and regulations established by the unit must be determined by a majority vote of the residents taken by a secret ballot.
    - c. Any rule or regulation shall be subject to a referendum upon receipt of a petition signed by 10% of the residents of the unit. Such a referendum must be held by the Council within 10 days of its receipt of the petition.
    - d. All rules and regulations established by the residence hall council (including the range of penalties to be imposed for violation of these) shall be printed and issued to each resident, as well as posted in the residence hall.
  4. In the enforcement of residence hall regulations the council is empowered to hear cases involving residents of the unit and non-residents as well, subject to the observance of the following procedures:
    - a. The residence hall council may administer penalties of restriction or removal of privileges, or written or oral reprimand, and other such penalties short of disciplinary probation. Serious infractions or repeated violations may be referred to the appropriate Dean.
    - b. In the conduct of hearings the principles of fair play and due process must be adhered to. In general these hearings should conform to the procedures which have been established for the Discipline Committee of the College (see page 12).

- c. At any time during the hearing of the case the residence hall council may refer the incident to the appropriate Dean.
- d. A student may appeal the decision of the residence hall council to the appropriate Dean within 5 days of the conclusion of the hearing. The penalty imposed at any level of the appeal process cannot be greater than the original penalty. Additional appeals will follow the pattern described on page 14.
- e. A written summary of each case shall be submitted to the appropriate Dean. Access to these records shall be limited to the accused, the Chairman (or President) of the council hearing the case, and those College officials or committees engaged in the disciplinary or appeal process.

### *Personal Conduct*

Hazing, assault and battery, or subjecting another person to harassment or abuse or threats or intimidation is prohibited, and the penalty for violation of this regulation shall not be less than reprimand nor greater than dismissal.

### *Violations of Law*

Violations of local, state, and Federal laws may result in disciplinary action by the College, but such action will not ordinarily be taken prior to disposition of the charge of violating the local, state or Federal law, unless the presence of the student in the College constitutes a threat to the safety and welfare of himself or others or interferes with the normal educational processes of the College.

### *Public Performances*

No person or group of persons shall either in Williamsburg or elsewhere, represent the College in a public performance of any kind unless prior approval shall have been obtained from the office of the Vice President for Student Affairs.

### *Alcoholic Beverage Policy*

All students of the College and their guests and all organizations must observe Virginia law as it pertains to the purchase and consumption of alcoholic beverages. Students should note that State law prohibits the consumption of alcoholic beverages in unlicensed public areas. Public areas include the lounge areas of College residence halls to which the general public has access. Alcoholic beverages may be consumed only in an unlicensed area which can qualify under State law as a *private place*. The

Alcoholic Beverage Control Board has interpreted the term *private place* to include:

- 1) The private room or quarters of an individual resident of a residence hall.
- 2) The area reserved or designated for an organized, scheduled social function limited to an identifiable group such as the residents of a particular residence hall, or members of an organization and their personally escorted guests or "dates." Such events are scheduled by the College with the understanding that the sponsoring students will supervise admission of guests so as to ensure that the above limitations of a "closed" or private party are met. It is highly recommended that the sponsoring organization require all persons attending to register their names at the entrance of such event.

### *Disruptive Conduct*

Conduct which interferes with the rights of others, or obstructs or disrupts any normal function of the College is prohibited. The Disruptive Conduct regulation is set forth in detail in the Addendum to this booklet. (See page 40)

### *Drugs*

For the purpose of these regulations drugs are defined as including marijuana, hashish, amphetamines, LSD compounds, mescaline, psilocybin, DMT, narcotics, opiates, and other hallucinogens, all of which are illegal except when taken under a doctor's prescription.

In addition to the provisions of Federal and State statutes governing drug use, the following College regulations apply:

1. Manufacturing, merchandising, or providing others with drugs is prohibited, and the penalty for violation of this regulation will not be less than disciplinary probation nor greater than dismissal from the College.
2. Possession or consumption of drugs is also prohibited and the penalty for a first violation will range from reprimand to suspension from the College. The penalty for a second violation shall not be less than disciplinary probation nor greater than dismissal from the College.

(The College considers it appropriate to support informational programs, open discussions of the problems and issues related to drug use, and counseling opportunities through the Psychological Counseling Center.)



## *Possession and Use of Motor Vehicles*

Students who have not completed the equivalent of four full semesters may not maintain automobiles on the College campus or in Williamsburg. This regulation does not apply to graduate or day students commuting from their homes, or to students age 21 or over. Exceptions to the regulation may be made only for essential employment, physical disability or for other essential college related needs. This special permission is to be secured from the Dean of Students. A student who brings an automobile to the campus without prior written approval, in anticipation of obtaining special permission, is in violation of this regulation.

The penalty for a first violation of the automobile regulation will be not less than reprimand nor greater than suspension for one semester. The penalty for a subsequent violation will not be less than reprimand nor greater than dismissal.

College regulations require that all motor vehicles operated on the campus, including motor scooters, be registered by the third day of classes.

The Motor Vehicle Control Board administers regulations governing registration of vehicles and parking and traffic on the College campus. The regulations, procedures and penalties of the Board are set forth in the Motor Vehicle Regulations pamphlet available at the Office of the Dean of Students and the Campus Security Office.

## *Inspection and Search of Student Living Quarters*

Routine maintenance and safety inspections of student living quarters will be announced at least one week in advance. A Resident Assistant will be invited to accompany the inspector. The student's absence will not prevent the carrying out of such maintenance or safety inspections. When an occupant has requested repairs, authorized maintenance personnel may enter in the student's absence for the sole purpose of making the repairs requested.

No student's room or possessions shall be searched by College authorities unless there is reasonable cause to believe that a student is using his room for a purpose in violation of federal, state or local laws, or College regulations. Except in circumstances of extreme emergency, no student's room or possessions shall be searched by College authorities unless a certificate authorizing the search has been issued and signed by the Dean of Students or an officer of the College designated by him. The certificate will state the source of the information, the alleged violation, the location of the search, the materials to be seized or information sought and the name of the person authorized to conduct the search.



A reasonable effort will be made to locate the student occupant involved and to secure his presence during the search. The person authorized to conduct the search shall make every reasonable effort to have present during the search an officer of the residence or unit or a member of the residence staff.

## ADMINISTRATION OF POLICIES AND REGULATIONS

### BASIC POLICY

The discipline of the College is vested in the President by the action of the Board of Visitors. The President has empowered the Dean of Students, the Dean of Men and the Dean of Women to exercise limited disciplinary authority and to levy penalties of disciplinary probation, limited or terminal, and lesser penalties as appropriate. Students so disciplined shall have the right of a hearing before the Committee on Discipline. Residence hall councils are empowered to deal with violations of social regulations and of other residence hall regulations occurring in the residence halls. (See *Residence Hall Life*) Serious infractions of College regulations normally are considered by the Committee on Discipline, membership of which includes administration, faculty, and students. In addition to the Committee on Discipline, the Vice President for Student Affairs, the Dean of Students, the Dean of Men and the Dean of Women, the President in his discretion may call upon other representatives of the administration, the faculties, and students for assistance, or he may act without the intervention of other administrative officers or the Discipline Committee.

The test of whether a specific infraction shall be handled by the Dean of Students, the Dean of Men, or Dean of Women, or by the Discipline Committee, shall be whether or not the offense is one which in the opinion of these officials may be punishable by suspension or separation from the College or is specifically designated as subject to action by the Discipline Committee. If it is, the case shall be tried by the Discipline Committee in accordance with procedures set forth below.

### COMPOSITION OF THE DISCIPLINE COMMITTEE

The Discipline Committee consists of seven members of the faculty and three students appointed by the President of the College. The Dean of Men and the Dean of Women are non-voting members. The Chairman and Vice Chairman of the Committee are appointed by the President. If a member of the Committee is absent, the Committee shall select a replacement from among the students or faculty of the College as appropriate. When the accused is a man, the Dean of Men shall present the evidence

on which the accused is being tried and may question the accused and witnesses, and the Dean of Women shall serve as secretary. When the accused is a woman, the Dean of Women shall present the evidence on which the accused is being tried and may question the accused and witnesses, and the Dean of Men shall serve as secretary. When a man and a woman are being tried jointly, the Committee shall select its secretary and the Dean of Men and the Dean of Women may question the accused and witnesses. Other than in the capacities mentioned herein, the Dean of Men and the Dean of Women shall have no part in the proceedings of the Committee.

## PROCEDURE

A student who has been accused of misconduct or violation of College regulations will be given a written statement of the charge on which he is to be heard at least 48 hours in advance of the hearing. The student will be invited to prepare a written statement in advance of his appearance before the Committee but the preparation of such a statement is not compulsory.

The accused shall be present and shall have the right to choose an advisor to represent him at the hearing. In the event that he elects to engage legal counsel, the legal counsel will be required to speak through the student rather than to participate directly in the hearing. A student who intends to bring legal counsel to the hearing is required to give written notice of his intention at least twenty-four hours in advance of the hearing. The Committee on Discipline shall have the right to have counsel of its own choosing, but such counsel may not question witnesses or the accused, nor vote on the finding or penalty. The accused shall have the right to know the evidence on which he is being tried, to question his accuser, and to cross examine witnesses appearing against him. He shall have the right to present witnesses in his own defense and to present whatever information or evidence he deems appropriate to a fair and adequate defense. In the determination of guilt, only the evidence relating to the charge on which the accused is being tried may be considered. However, in fixing a penalty the prior conduct of the student may be considered. A tape recording of each hearing shall be made and a student whom the Discipline Committee has found guilty of a violation of College rules may have access to the recording of his hearing.

Since the College considers the testimony and evidence of a hearing and the finding and penalty confidential (but imposes no such stricture upon the student being tried) the hearing is normally closed, but upon the request of the accused, and when approved by the Committee and the Vice President for Student Affairs, an open hearing may be held. In the event, however,

that the presence of others interferes with the orderly conduct of the hearing, the Committee may vote to close the hearing.

The conduct of the hearing is the responsibility of the Chairman who shall question witnesses and the accused to the end that all information necessary to a full and fair consideration shall be brought out. In addition, each member of the Committee shall have an opportunity to question both the witnesses and the accused, and finally the accused shall have an opportunity to present whatever he considers necessary in his own defense.

Except in cases of oral reprimand, the accused shall be notified in writing of the decision of the Committee within 24 hours of the conclusion of the hearing. Until he is so informed, he shall be entitled to attend classes and participate in other College functions unless the Committee believes his presence and participation would constitute a threat to his own safety and welfare or to that of other members of the College community in which case he shall be so informed in writing.

## PENALTIES

Among the penalties levied by the appropriate authorities for violation of rules and regulations are those listed below. Additional penalties, usually of less severity, may be employed as appropriate.

1. Loss or restriction of privileges. Social and personal privileges, including the opportunity to participate in the electronic card-key system, to entertain guests in the private areas of a residence hall, to participate in social activities sponsored by the College or a residence hall, and the right to operate an automobile on campus, may be limited or removed, provided the penalty is consistent with the offense committed. Loss or restriction of privileges may be accompanied by other sanctions.
2. Restitution. A student may be required to reimburse the College or appropriate individual for damage to or misappropriation of property. The penalty of restitution may be accompanied by other sanctions.
3. Reprimand. Written or oral reprimand constitutes a severe reproof and a warning that the behavior of which the student has been found guilty will not be tolerated by the College. It cautions him that repetition of the behavior may result in a more severe penalty.
4. Disciplinary Probation. The student remains enrolled but under stated conditions limiting his activities or constituting a warning that further misconduct or violation of College regulations will result in his suspension or dismissal from the College.

5. Suspension. An involuntary separation from the College for a period determined by the Committee, at the end of which period the student is automatically eligible for readmission provided there is no other encumbrance upon his readmission.
6. Required withdrawal with eligibility to apply for readmission. An involuntary separation from the College with a date determined by the Committee when the student may apply for readmission. In such instances the student must first satisfy the Committee by his conduct and record that he is in fact entitled to readmission.
7. Dismissal. Involuntary separation of the student from the College without expectation of readmission.

## RIGHT OF APPEAL

Any student found guilty by the Committee on Discipline shall have the right to appeal the finding and the discipline imposed upon him to the President of the College. The President may delegate his authority in such instances to the Vice President for Student Affairs. Any such appeal shall be in writing, shall be based solely upon the record, and shall be limited to one or more of the following grounds:

1. That the finding is not supported by substantial evidence,
2. That a fair hearing was not accorded the accused, or
3. That the discipline imposed was excessive or inappropriate.

Such an appeal shall be presented to the President via the Dean of Students within five days of the conclusion of the hearing. If the penalty being appealed is dismissal or suspension, the accused shall not attend classes or take part in any College function while his request is under consideration. The five-day limitation for the presentation of an appeal may be extended an additional five days by the President for good cause.

It shall be the responsibility of the President to act upon all such appeals within five days of receipt of the appeal, but his action may be postponed an additional five days in which case the student may be permitted to attend classes or participate in normal College functions.

# The Honor System of the College of William and Mary in Virginia

## *HISTORY*

Among the most treasured traditions of the College of William and Mary is the student-administered plan of discipline known as the Honor System. The essence of the Honor System is individual responsibility in matters involving the student's honor, and the System hopes that every student is concerned with the strict observance of the principles of honorable conduct which he upon matriculation pledges to uphold, for his own sake, for the sake of his fellow students, and for the sake of the College.

The evolution of the Honor System over the years to its present form is best understood when considered against the background of changes in the character of the College itself. The College originally combined the higher school with a grammar school and served almost exclusively the sons of Gentlemen of the planter aristocracy, who took especial pride in their reputation as men of honor. The students formed a small, closely-knit group, at times numbering fewer than a hundred; and a violation of the College code of discipline was punished by ostracism. Because of the existence of this gentlemen's code of honor that characterized life and conduct at the College from its beginnings, it is difficult to pinpoint a specific date marking the beginning of the Honor System as a system. It was assuredly emerging in one form or another prior to 1779, when the College was reorganized under Jefferson's leadership, the year often claimed for its official establishment; and minor details of administration have changed from time to time to meet contemporary needs and conditions.

From its earliest days the College has evinced an interest in the character of its students. In 1736 the College Statutes expressed the view that "special care must be taken of their morals, that none of the Scholars presume to tell a Lie . . . , or do any Thing else that is contrary to good Manners." The Faculty resolved in 1784 that every student should, upon matriculation pledge to observe all College regulations, and "particularly such as require that kind of conduct . . . conducive to the Honor & Prosperity of the University."

The Board of Visitors expressed their faith in the students' integrity in the Statute of 1788 which stated that "whereas those, who are gen-

erally admitted into the higher schools, are from their years entitled to a certain degree of confidence in their discretion . . . the ordinary strictness of schools may with respect to them be in some measure relaxed."

One spokesman for the "liberal and magnanimous character of discipline" at William and Mary, Nathaniel Beverley Tucker, then Professor of Law at the College, explained in 1834 something of the attitude underlying the System in an address to a group of law students. Said Professor Tucker: "It has been the study of its professors to cultivate at the same time the intellect, the principles and the deportment of the student, laboring with equal diligence to infuse the spirit of the scholar and the spirit of the gentleman. He comes to us a gentleman. As such we receive and treat him, and resolutely refuse to know him in any other character . . . His Honor is the only witness to which we appeal. . . ."

As the College has grown in size and complexity, the student body has become less the homogeneous group which characterized the earlier years, particularly before the latter part of the nineteenth century. The College no longer serves exclusively young men from restricted or provincial areas of social and economic life, but is a co-educational institution serving several thousand students from all parts of the United States and from foreign countries. It is accepted that honor and responsibility are not absolute, intrinsic values, but are acquired in a specific environment and are, therefore, relative to that environment.

As a relative value, honor means many different things to many different people. Today, for immediate purposes within the College community, its applications are restricted to three specific areas—lying, stealing and cheating. This restriction of definition enables the theoretic concept of honor to be applied on a practical level within a heterogeneous body.

As numerous bulletins state, the discipline of the College was entirely "in the hands of the President and faculty" until the twentieth century, when student government was instituted at William and Mary. Today the Honor System is student administered through elected councils.

Whereas the present administration of the Honor System by the students through elected councils evolved during the 1920's, the spirit and essence of the Honor System have historically threaded the years undisturbed and, guarded jealously, have remained intact.

## MEANING

Under the Honor System it is assumed that every student has an express interest in preserving the integrity of the College Community, for



himself as well as others. Primarily, the function of the Honor System is to educate—to instill a common sense of honor in the heterogeneous student body. Morality is not inborn; it is learned, and it is learned in a specific environment. The Honor System helps to create an environment which will be most favorable to the individual's continued development of honorable traits and behavior, while providing checks against those who deviate from the code.

The effectiveness of the Honor System is dependent upon the student's acceptance of his responsibility toward that system. The very assumption that a person is worthy of trust is a powerful factor in insuring that confidence will be deserved.

When students pledge to abide by the Honor Code they are indicating publicly their acceptance of the system and their intention to live by certain principles. That anything but rare violations of these principles should occur is inconceivable, for frequent violations would mean that the spirit of honor, and hence the Honor System, did not exist. That a violation should never occur is equally inconceivable. The strength of the Honor System rests in the fact that it provides an atmosphere in which the honorable student can act with individual responsibility while providing a way to sanction those who violate this Code. With a breach of the Code the Honor System becomes more than a matter of individual morality alone, and emerges, in essence, as a system of external control administered by one's peers as the constituted authority created by the students themselves.

Under this system its precepts are supplemented and reinforced; supplemented for those who lack the depth of inner sanctions of conduct and reinforced for those whose conduct may be in need of that stimulus, enlargement, and support which comes from subjection to discipline that is self-imposed.

It is important that no student commit an act of lying, stealing or cheating nor tolerate such behavior among his fellow students. The basis of the Honor System at the College rests upon each student's acceptance of his responsibility to make the moral choice of upholding not only his personal honor, but the code of honorable conduct for the College as well. It becomes necessary in order for such a system to continue to be effective that each student acknowledge that he will not accept dishonorable conduct among his fellows. Therefore, the responsibility of a student to report infractions of the Honor Code that he may witness is a vital part of the student-administered system. Such reporting is not depriving honor of its personal sanctity, for along with an inner morality there needs to be an external control in the social sense, for those whose ideals and codes of personal conduct need to be strengthened.

The individual becomes keeper not only of his own honor, but in a sense that of his fellow students as well. Forcing someone to report infractions under fear of penalty himself is a contradiction of the role of the individual and his responsibility to others living under the system. Therefore, the stimulus to report an infraction he witnesses must come from within the particular student and not from written law. Such is the essence of honor.

## ADMINISTRATION

The students administer the Honor System through one elected council, the Joint Honor Council. The Council is elected by vote of all undergraduate men and women. Whenever a student is accused of a breach of honor, the Council has the power and the duty to investigate the alleged offense and, if necessary, conduct a hearing or trial. In addition, the Honor Council is responsible for explaining the Honor System to entering students during the College orientation period, and for providing judicial review for the Student Association Constitution and By-Laws.

The Joint Honor Council is composed of six senior representatives, three men and three women, six junior representatives, three men and three women, and four sophomore representatives, two men and two women. Two Co-Chairmen are chosen from among the senior representatives; one man and one woman are chosen by the newly elected members on the council and its outgoing senior members. Co-Vice Chairmen, one man and one woman, are chosen from among the senior representatives and two secretaries, one man and one woman, are chosen from among the junior representatives. Both the Vice Chairmen and the secretaries will be chosen in the same manner as the Chairmen. In case of a tie vote for the Chairmen, the Vice Chairmen, or the secretaries, the outgoing chairman of the same sex as those who are tied will cast the deciding vote.

When a breach of honor is reported and a trial is warranted, the Co-Chairmen will select six members, three men and three women, on a rotating basis from among the Joint Council members. The Co-Chairman who presides at the trial will be of the same sex as the accused. The accused will be given the option of being tried by a Joint Council or by a Council made up of members of his own sex. If no choice is made a Joint Council will automatically be chosen.

In the event a member of the Honor Council does not fulfill his responsibilities as a Council member, a vote of 8 of 15 members of the Council will initiate impeachment proceedings. The proceedings will include a meeting of the Joint Council at which time the impeached member may justify his actions.



If thirteen or more of the fifteen Council members participating in the proceedings shall believe the impeached member has wilfully avoided or unjustifiably neglected his duties or failed to uphold the principles of the Honor Code, he shall be dismissed. The dismissed member may appeal to the President of the College.

## PRINCIPLES

### PLEDGE

Upon matriculation each student is automatically subject to the provisions of the Honor System. The Honor Councils meet with entering students to explain the principles and procedures of the Code so that students may be fully aware of the System. At the end of Orientation a student signs a pledge card stating that he understands what is expected of him under the Honor System and that infraction of the Honor Code at any time during his student days may be punishable by dismissal from the College. From time to time a professor may require the student to sign a formal pledge on work as a reminder to the student that he is subject to the provisions of the Honor Code.

### INFRACTIONS OF THE HONOR CODE

Infractions of the Honor Code include cheating, stealing and lying. Under the present system these infractions are defined as follows:

- (1) *Cheating*. Fabricating written assignments, giving aid to any student or receiving aid without the consent of the professor on tests, quizzes, assignments, or examinations, and the act of plagiarism are violations of the Honor Code. Consulting unauthorized materials on tests, quizzes, assignments, or examinations shall constitute *prima facie* evidence of the intent to subvert the purpose of the exercise and shall be interpreted as cheating.

Plagiarism is the act of presenting the information, ideas, or phrasing of another person as if they were one's own. Such an act is plagiarism whether by ignorance of proper scholarly procedures, failure to observe them, or deliberate intent to deceive. Plagiarism is a violation of the Honor Code if a specific intent to deceive is present. The presence of a significant amount of plagiarized work shall constitute in itself *prima facie* evidence of this intent.

Regardless of its reason, plagiarism is a violation of the standards of scholarship which the College endeavors to teach. While these standards encourage the constructive use of materials for reference and research, they also demand the honest acknowledgement of all

sources of help. If the instructor should determine that such acknowledgement is not made according to the accepted procedures in the scholarly discipline involved, he will bring a charge of cheating before the Honor Council. In trying the case, the Honor Council will assume that all students enrolled in the College of William and Mary are cognizant of the following two basic principles and understand that they apply regardless of other directions:

- (a) All quoted material must be identified by quotation marks, indentation on the page, or other recognized method, and the sources must be clear.
- (b) Any information, ideas, or phrasing borrowed from any specific source must be explicitly attributed to that source, whether or not the material is actually quoted, unless the borrowed item is obviously in the realm of "common knowledge"—that is, knowledge which persons conversant with the topic involved could be expected to have in their memories as a matter of course.

The student should assume that he is neither to give nor receive help on any work; any exception to this rule on a particular assignment must be expressly and specifically made by the individual professor.

Ignorance of the above statement is not an excuse for violation of the Code. It is the responsibility of the student to learn from the individual instructor the procedure for acknowledging sources and indicating quotations required by each assignment.

Those cases which appear to be serious should be referred to the Councils; all such cases should be reported promptly, regardless of the personal feelings of the accuser.

- (2) *Stealing.* Stealing is the act of taking or appropriating without right or leave that which belongs to another with intent to keep or make use of wrongfully that which was taken. It is assumed that the individual will exercise good judgment in determining whether an act is an act of theft or merely an act of borrowing. Common sense dictates that students take ordinary measures to safeguard their property just as they would in the non-college community.

Removing books from the College Library without checking them through the proper channels is stealing. Student use of the College Library is subject to the principles of the Honor Code. The open-stack system is in effect; that is, students may browse in the stacks, and the students themselves assume responsibility for checking out books at the circulation desk. The alternative of the open-stack sys-

tem is a closed-stack, under which students are not free to browse, but rather must give the titles of books they are interested in to a clerk who locates the books. The advantage to the students of the open-stack system in terms of ease of research and intellectual stimulation make the open-stack system preferable. The system can continue, however, only so long as students assume their obligations under the Honor System to obey Library regulations.

- (3) *Lying.* Lying is the intentional statement of an untruth made with deliberate intent to mislead another about other than trivial matters. If an individual tells an untruth concerning some matter, but later, on his own initiative, tells the truth concerning the same matter before he is confronted with committing a breach of honor, this shall be considered in his favor in dealing with his case and determining the penalty.

Forgery is considered an act of lying. It is an honor offense. As defined by the Honor Councils, it includes the unauthorized signing of a college document.

Falsely testifying before the Honor Council is itself an Honor offense. If an individual is being tried for an offense of the Honor Code on one count and lies while appearing before the Honor Council, he will be accused of committing an additional breach of Honor. In such cases, a new trial will be held to determine the guilt or innocence of the accused on the additional charge of lying.

## *AMENDMENT*

The preceding sections of the Honor Code may be amended from time to time by three-fourths vote of the joint Honor Councils concurred in by the President of the College.

## PROCEDURES

### *REPORTING A BREACH OF HONOR*

The basis of the Honor System at the College rests upon each student's acceptance of his responsibility not only to act honorably but to uphold the code of honorable conduct for the College as well. It becomes necessary in order for such a system to continue to be effective for each student to acknowledge that he will not accept dishonorable conduct among his fellows. Therefore, the responsibility of a student to report infractions is a vital part of the Honor System.

Any person believing that a breach of the Honor Code has been committed must challenge the student accused of the act and offer him the

opportunity to resign from the College immediately without the expectation of readmission or to report himself to the Honor Council. If the accused does not report himself to the Honor Council within twenty-four hours, the accuser must report the case. Only in those cases where a direct challenge is not feasible, may he report the suspect directly to any member of the Honor Council, who will in turn notify the accused of the accusation against him.

### *INVESTIGATIONS OF ALLEGED DISHONORABLE PRACTICES*

Whenever, in the opinion of the Chairman of the Council, or a majority thereof, evidence of probable dishonorable practices should be sought and impounded, and there are reasonable grounds to suppose that such evidence may be found in a particular place, any member of the Council when accompanied by an administrative official of the College, may enter any room or building within the jurisdiction of the College in search of such evidence, and, if found, may impound the same for such period of time as shall be necessary for investigation and trial.

Whenever it is brought to the attention of the Council that there is reason to believe that practices by students in violation of the Honor Code may be occurring, it shall be the duty of the Council or Councils affected to hold a meeting or meetings for investigative purposes and to summon witnesses to disclose to the Council any information requested that is relevant and within their knowledge.

### *WITNESSES*

A witness called to testify must appear before the Honor Council and must give such testimony pertaining to the case as may be requested by the Council. Any student who in the opinion of the Council refuses to testify frankly and fully shall be reported to the Chairman of the Discipline Committee of the College. Falsely testifying before the Honor Council is in itself a violation of the Honor Code.

### *FAILURE TO STAND TRIAL*

Should a person leave the College after having been challenged without appearing before the Honor Council for trial, the accuser shall report the name of the accused and the breach of honor to the Chairman of the Honor Council. The Honor Council shall then record the facts of the case and advise the Vice President for Student Affairs that the student withdrew under suspicion of a breach of honor.

## *RIGHTS OF THE ACCUSED*

The accused shall have the following rights in the event he elects to stand trial:

- (1) A right that the charges against him be reduced to writing and served on him personally by some member of the Honor Council before trial. If these charges are so vague or indefinite as not to apprise fairly the accused of the charge or charges against him, he may ask for a more definite statement as to time, place, and any other particulars relevant to the case, which shall then be furnished him promptly and in advance of the trial.
- (2) A right to a written statement of his rights and duties with respect to the trial, and the procedure thereof. This shall be given him at the same time he is served with notice of the charge or charges against him.
- (3) A right to have the opportunity to seek the advice of his parents, teachers, or spiritual adviser, and that matters told in confidence not be disclosed.
- (4) A right to ask anyone who will not be a witness to be his counselor. This includes the right to ask any member of the Honor Council (except the Chairman) to be his counselor. In the event that the counselor is not a member of the Honor Council, or if the accused chooses not to have a counselor, then the Chairman shall direct one member of the Council to withdraw from the Council so far as the trial of that particular case is concerned, to the end that the accused be tried by a council of seven. If the accused does request a counselor, the duties of such counselor shall be as follows:
  - (a) To explain to the accused his rights and duties.
  - (b) To counsel the accused as to the best way to present any honest defense or mitigating circumstances. The counselor shall not himself advise the accused as to whether or not he should plead guilty or not guilty, as that decision must be made by the accused himself.
  - (c) During the trial, to question the accused and all witnesses, if he thinks such questioning may be helpful in presenting the case of the accused in the best possible way; to raise objections to proceedings of the trial which might result in unfairness, such as the admission of prejudicial hearsay evidence; but he shall have no right to argue the case of the accused before the Council or to participate in the deliberation of the Council.

- (d) Not to disclose to anyone any matter relevant to the case that has come to him in his capacity as counselor unless expressly requested to do so by the accused himself.
- (5) A right to a trial at a proper time and place. In general the trial should not be held with undue haste, nor, on the other hand, should it be postponed unnecessarily. Trials should not be held for too long periods of time without recess, or at unseemly hours. In general there should be a recess every two hours, and no trial should continue past midnight, though members of the Council, if they so desire, may deliberate until a majority ask that proceedings be recessed.
  - (6) A right to summon witnesses and to testify in his own behalf, but the number of character witnesses, if any, may be reasonably limited by the Council.
  - (7) A right to be confronted with the witnesses, and to question them.
  - (8) A right that he not be tried for two offenses in the same trial.
  - (9) A right that he not be tried for one offense, e.g., cheating, and convicted on another, e.g., lying before the Council, without the same opportunity to defend himself against any other charge.
  - (10) A right that his or her husband or wife, or brother, or sister of the full blood or of the half blood or by legal adoption, not testify against him.
  - (11) A right, before official notification by the Vice President for Student Affairs of the verdict and penalty, to attend classes and to participate in any college function which will not directly affect his candidacy for graduation.
  - (12) A right to elect to be tried separately where he is one of two or more accused of a joint violation. If none of those accused jointly of an alleged joint offense request separate trials, they may be tried jointly or separately as the Council deems best.
  - (13) A right, even though guilty, to present evidence of extenuating circumstances.
  - (14) A right to an acquittal unless at least six out of seven of the Council believe that the charge or charges against him have been proved beyond a reasonable doubt.
  - (15) A right, in event of acquittal, that the minutes and recordings of his trial be destroyed promptly after the expiration of two weeks



from the time he is notified of his acquittal. A verdict of acquittal is not final during this period, and the case may be reopened for good cause shown at the request of any party in interest. If so reopened, it is to be regarded as a continuation of the original case.

- (16) A right to request the President of the College to review a finding of guilt and the propriety of the penalty. This right must be exercised promptly after notification of the accused by the Vice President for Student Affairs or his administrative assistants of the penalty. The request should be made in writing and should state clearly the reasons relied upon for reversal or modification. If the penalty being appealed is expulsion or suspension, the accused shall not attend classes or take part in any College function while his request is under consideration.

### *DUTIES OF THE ACCUSED*

If he elects to stand trial, the accused shall be under the following duties:

- (1) A general duty to co-operate reasonably with the Council in conducting the trial and bringing it to a close without undue delay.
- (2) A duty to answer all relevant questions frankly, fully, and honestly, unless such answers would tend to expose him to the probability of a criminal prosecution, in which case the accused, if he does not wish to answer, shall so state; but any such refusal to answer may be considered by the Council in determining the issue of guilt or innocence.

### *RIGHTS OF ACCUSER*

- (1) An accuser shall have the right to appear as a witness and present his case so that he can satisfy himself that his complaint is being properly heard.
- (2) He shall have a right to be advised of the final decision.
- (3) He shall have a right that neither his person nor his property shall be insulted, molested, threatened, or damaged because of his part in the trial.

### *CONDUCT OF TRIAL*

- (1) Every trial shall be conducted by a Council of seven members. Should some of the regular members be unavailable, the Chairman, with the advice of the members who are available, may appoint any

member of the student body as temporary member of the Council. In the absence of the Chairman, the Vice-chairman shall perform all the functions that would otherwise be performed by the Chairman. In the absence of both the Chairman and Vice-chairman, the remaining members shall elect an acting Chairman.

- (2) The Chairman of the Council shall preside.
- (3) The Chairman of the Council reserves the right to ask any person disrupting the orderly proceedings of the trial to leave.
- (4) The accused and all witnesses shall be reminded that lying in an Honor Council trial is itself a violation of the Honor Code.
- (5) The questioning of the accused and all witnesses shall be done by the Chairman. When he is through questioning, each member of the Council shall be given the privilege of asking additional questions. Then the accused may ask the witnesses questions he wishes to ask. When he is through, the witnesses may be asked additional questions by any member of the Council. Then the accused may ask additional questions, and so on, until all parties are satisfied, for the time being, that the witnesses can furnish no further information. Hearsay evidence may be heard at the discretion of the Chairman, when some useful purpose may be served thereby, and there is some guarantee of its reliability. The Chairman shall pass on all questions raised as to relevancy of proffered evidence, and where no unfairness is likely to result, may depart from the order of procedure set forth above.
- (6) Where the evidence consists in whole or in part of written work or other exhibits, the accused shall be permitted to examine them during the course of the trial.
- (7) Witnesses may be recalled by the accused or at the discretion of the Chairman of the Council.
- (8) No trial shall be held on Sunday or any religious holiday if anyone connected with the trial objects in good faith to its being so held.
- (9) The accused shall not have a right to be represented by counsel, unless, in the opinion of the majority of the Council, he is incapable of properly presenting any defense he may have. In such a case, some other student approved by the accused and the Dean of Men or the Dean of Women may act for the accused.
- (10) Any student who in the opinion of the Council refuses to testify frankly and fully shall be reported to the Chairman of the Discipline Committee of the College.



- (11) If six or more of the seven members of the Council participating in a trial shall believe the accused guilty beyond a reasonable doubt, he shall be deemed guilty as charged; otherwise he shall be acquitted.
- (12) The Council, after having found an accused guilty, shall by two-thirds (2/3) vote of the Council recommend the penalty. In determining guilt or innocence it is not proper to consider extraneous matters not brought out at the trial.
- (13) If the finding be one of guilt, that fact shall be reported in writing to the appropriate Dean along with the recommended penalty and any alleged exceptional extenuating circumstances. The accused should be notified only of the finding of guilt and told that the Vice President for Student Affairs will in due course notify him of the penalty. The accuser shall also be given notice in writing that the accused has been found guilty.
- (14) If the finding be one of innocence, that fact shall be reported in writing to the appropriate deans. The accused should be notified of that finding and cautioned that the trial may be reopened for good cause within a period of two weeks at the request of any interested persons. The accuser shall be given notice in writing that the accused has been acquitted.
- (15) At the request of the accused, or of the parent or guardian of the accused, an observer acceptable to the President of the College shall be permitted to be present during the trial. The College in such an event may also designate a suitable person to act as an observer. Observers, unless called as witnesses, shall take no part in the proceedings and shall not be present during the deliberations of the Council.
- (16) The Secretary of the Council shall take and keep minutes of the proceedings. Recording devices may be used if they are under the control of the Council.
- (17) If the accused is acquitted, the minutes and recordings of the meeting shall be kept for at least two weeks and shall be destroyed immediately thereafter, unless the case has been reopened for good cause.
- (18) The minutes of any trial may be inspected by the President of the College, the Vice President for Student Affairs, the Dean of Men, the Dean of Women or their administrative assistants. Others may inspect the minutes in the presence of two or more members of the Council after first having satisfied the Council of their legitimate interest in the case. The recommendations of the Council as to

penalty shall become a part of the minutes from and after the notification of the accused by the Vice President for Student Affairs of the College of the penalty imposed, and not before.

- (19) Any member of the Council who is an accuser or a witness in a case is automatically disqualified from serving on the Council. A member may also disqualify himself or may be disqualified by the Chairman in any case because of interest, bias, close relationship to the accused or to the accuser, or for any other good reason.
- (20) No member of the Council shall communicate in any way with any person not a member of the Council about any case while that case is being tried. After trial, except under unusual circumstances, both discretion and good taste require continued secrecy.
- (21) A failure to follow any of the above stated rules shall not be grounds for a mistrial where there is no reasonable doubt about the guilt of the accused and the propriety of the penalty finally imposed.

### *PENALTY FOR A BREACH OF HONOR*

A violation of the Honor Code is normally punished by dismissal from the College, either permanent or temporary, although this penalty may be modified when in the opinion of the Council conclusive reasons for doing so exist. Lesser penalties include a letter of reprimand or loss of credit in a course.

If, after trying a case, six of the seven members of the Council are convinced of the guilt of the accused and so cast their votes in a secret ballot, the Honor Council shall immediately report its findings and recommendation to the appropriate Dean and the Vice President for Student Affairs.

After reviewing a case, the Vice President for Student Affairs shall notify the accused and the appropriate Council of the final verdict and penalty. Penalties shall be imposed promptly and in the case of dismissal, the Vice President for Student Affairs of the College shall have the parents and the Alumni Secretary informed, and shall have the facts recorded on all official records.

In the event the Vice President for Students Affairs feels that the rights of the accused have in some manner been violated to such an extent that an unjust verdict or penalty may have resulted therefrom, he shall declare a mistrial, and so inform the accused and the appropriate Council, along with his reasons for so declaring. The Council shall then open a new trial to deal with the same charge. If the Vice President for Student

Affairs feels that the evidence does not justify the findings of the Council, he may then set aside these same findings, informing the accused and the appropriate Council of his reasons for so doing. The Council shall then have the right of appeal to the President of the College. If the decision to set aside the findings is sustained, the accused and the appropriate Council shall be so informed, and the matter closed before the Council.

### *PUBLIC NOTICE OF ACTIONS TAKEN*

After the expiration of two weeks from the completion of any case, a notice of the charge, verdict, and the penalty shall be sent to the Editor of *The Flat Hat* along with a request that it be printed in a conspicuous place in that paper. The notice shall make no mention of any names.

### *REOPENING CASES*

No case shall be reopened after the expiration of two weeks from its completion before the Council except for newly discovered evidence, provided that the availability of such evidence was unknown at the time of the trial by the party seeking to reopen the case, and provided further that such evidence in the opinion of the majority of the Council would be apt to change the result of the original trial. In such cases either the accuser, the College, or the accused may ask that the case be reopened. If a case is reopened after the expiration of two weeks from its completion before the Council, it shall be tried anew.

### *STALE CASES*

Any breach of honor alleged to have been committed more than four months before complaint shall be disregarded unless at least two-thirds of the Council believe there has been just cause for delay and that it is still feasible to hold a fair trial.

### *AMENDMENT*

Amendment of these procedures requires three-fourths vote of the joint Honor Councils.

# A Statement of Rights and Responsibilities

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## PREFACE TO STATEMENT OF RIGHTS AND RESPONSIBILITIES

*Because of its continuing validity and applicability, the 1968 Statement of Rights and Responsibilities is reprinted in this Handbook for the information and guidance of students. There have been some modifications since its issuance August 12, 1968, and these changes are noted in appropriate footnotes.*

*The Statement is currently under study and review, and it is expected that a revision will be adopted in the session 1972-73.*

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### PREAMBLE:

In this, its 275th anniversary year, the College of William and Mary deems it timely and appropriate to evaluate all aspects of its educational mission in the spirit of renewed dedication to those principles which characterize its heritage and presently nurture a challenging future.

Among the areas of current assessment, the policies respecting institutional rights and responsibilities as well as those of students warrant examination. Whereas there have always been certain codes of conduct, rights, and responsibilities inherent in the life of the College family that existed without the necessity of documentation, yet times and circumstances occasion their being set forth in written statements.

It is recognized that there are certain institutional as well as student rights and responsibilities not included, or insufficiently clarified in the provisions set forth in the College Catalog, the Student Handbook, the Honor Code, the rules of the Women's Dormitory Association and other publications of the College. This statement is prepared to treat some of these that appear to be warranted by contemporary events and developments.

Fundamental to these policies is the recognition that educational excellence in an academic community presupposes mutual awareness of and respect for both institutional rights and duties and individual liberties and responsibilities. (The term "rights," when referring to the institution, implies the authority necessary to preserve institutional integrity and, in the particular instances cited, are not intended by their placement alongside the individual right to "match" the same *per se* but rather to clarify the relationship.)

Each enrolling student has the right to expect the College to fulfill its educational mission as effectively as its capacity and resources will permit. Correspondingly, the College must enjoy the right to establish and maintain high academic standards and the authority to adopt and implement standards of orderly conduct which will promote an atmosphere conducive to learning and meaningful individual development.

Since rights without corresponding responsibilities are destined to perish, and both are meaningless without explicit means for their assurance, the following mutual rights and responsibilities—institutional and student—are set forth with accompanying procedures for implementation.

## I. ACCESS TO EDUCATION

### *RIGHT:*

Within the limits of its facilities as to numbers that can be accommodated, the right of admission to William and Mary is open to all students who are qualified according to the standards of admission stated in the College Catalog. The facilities and services of the College are open to all enrolled students, and all standards and policies are applied without respect to race, creed, color, or national origin.

### *RESPONSIBILITY:*

Since more applicants seek admission annually than the College can admit, the College must exercise the responsibility of selection in terms of best overall records of achievement and potential for success.

The applicant who is selected for admission exercises a responsibility in notifying the College of his or her intention to enroll, the same being a voluntary choice on his part, thereby indicating acceptance of the standards, academic and non-academic, set forth in the Catalog, the Student Handbook, the Honor System brochure, this statement, and other documents made available to students. Accordingly, the College is expected to fulfill its responsibility in requiring the withdrawal of a student whose conduct or academic performance is found unsatisfactory, permitting the student an appropriate hearing and appeal.

### *IMPLEMENTATION:*

The admission standards are established by the Board of Visitors and administered by the Dean of Admissions with advice of a Faculty Admissions Committee. Any person feeling aggrieved under the standards of their administration is expected to submit the complaint in writing to the Dean of Admissions and, if not resolved, may appeal to the President of the College.

The Academic Status Committees of the College of Arts and Sciences and the respective Schools make determination with regard to academic discontinuance of a student; the Discipline Committee in the instances of discipline penalties; and the Honor Councils in respect to honor offenses. In all instances, the right to appropriate hearings and appeals is provided.

Any grievance by an enrolled student as to facilities or services of the College not being open to him or her because of race, creed, color or national origin should be brought directly to the attention of the Dean of Men or Dean of Women, as the case may be, and the right of appeal is assured to the Dean of Students and the President of the College.

## II. IN THE CLASSROOM

### *RIGHT:*

Students have a right to expect that professors, in the classroom and in conferences, will evaluate their performance on an academic basis, and not on opinions or conduct or association in matters unrelated to classroom academic pursuits. They have a right to request professors to interpret the specific criteria to be used in determining grades and, at reasonable intervals, to request and be provided information as to their progress in the course involved.

Students have a right to expect that information about their views, beliefs and associations acquired by professors and all College officials in the course of their work as instructors, advisors, and counselors will not be indiscriminately disclosed.

College officials and professors reserve the right to provide, under appropriate circumstances, judgments of ability and character.

### *RESPONSIBILITY:*

For each course in which they enroll, students are responsible for achieving the standards of academic performance established by the professor.

Professors have a responsibility to advise students of course expectations, criteria for grades, and to make themselves available for conferences with individual students who need counsel and advice regarding their progress in the course.

Each student is responsible for knowing that his professor may be requested by the government, graduate schools, and prospective employers to evaluate his character, personality, and ability and that such an evaluation may be honestly and objectively given.



### *IMPLEMENTATION:*

When a student believes that he has been unjustly treated in the classroom, either by the denial of freedom of expression or by improper evaluation, or on any other right enumerated above, he should discuss his grievance with the instructor, and may, if need be, appeal to the Chairman of the Department, the appropriate dean, and to the President.

## III. STUDENT RECORDS

### *RIGHT:*

The student has the right of assurance that his academic record, compiled and maintained by the College, will be retained in confidence and that, when requested, copies of the same will be supplied to him or mailed to persons designated by him. Academic transcripts include only information relevant to the student's academic status, except that all withdrawals prior to graduation, whether voluntary or involuntary, are relevant and are recorded on the transcript.

### *RESPONSIBILITY:*

The College has the responsibility to minimize the risk of improper disclosure by maintaining separately from the academic transcript any record of disciplinary actions which do not result in suspension or dismissal, and in disclosing the academic transcript only when authorized by the student, or required by agencies or officials legally entitled to this information, or in those rare instances where the safety of person or property is involved.

Students have a responsibility to realize that when they request recommendations, or when they involve the College or its officials as references, the evaluation may include both academic and non-academic information, and that the information will be provided in an accurate, objective and unbiased manner. They have a responsibility also to recognize the College's obligation to forward to parents or guardians notices of students' academic progress, as well as notices of disciplinary or Honor Council actions.

### *IMPLEMENTATION:*

The Registrar, Dean of Students, Dean of Men, Dean of Women and their associates, together with Department Heads, and appropriate academic deans are responsible for their respective roles in implementing the aforementioned rights and responsibilities and any student grievance under

this process will first be directed to the Dean of Students who is empowered to involve others as necessary to resolve the matter.

## IV. STUDENT AFFAIRS

### A. *RIGHT TO ORDERLY ENVIRONMENT:*

Each student has a right to safety in his person and belongings, to privacy in his residence, to freedom from offensive, riotous, unruly, or disruptive conduct on the part of others, and to the maintenance of an atmosphere conducive to study.

The College reserves the right to inspect residence halls periodically for the purpose of assuring fire prevention, sanitation, and safety, and reserves the right to search a room for a specific purpose as hereinafter provided.

*Responsibility:* The student has the responsibility to respect the person and property of others, to refrain from offensive or disorderly conduct, and to maintain his living quarters in a safe and sanitary condition. In accordance with the regulations of the College, the student will not entertain or receive guests of the opposite sex in his or her room.\*

The College has the responsibility to maintain residential halls in a clean, safe, and proper condition, and also to provide suitable lounge and recreation areas to the extent that resources and facilities will permit.

The College, in discharging its responsibility to inspect the residential halls periodically, will make every effort to notify student occupants in advance, and have certain students accompany the inspection.

The College has the responsibility not to conduct a search in a student's room unless the reasons therefor and the objects or information sought have been clearly specified to the Dean of Students and justifiable cause to conduct the search is found to exist, and reasonable effort is made to notify the student involved and his presence sought during said search.

*Implementation:* Any grievance or concern regarding the aforementioned rights and responsibilities will be reported to the Dean of Students who, with or without the assistance of the Discipline Committee as the instance may require, will take immediate steps to resolve the matter, permitting an appeal to the President of the College if desired by the aggrieved party.

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\* Visiting privileges are further clarified in the Visitation regulation published elsewhere in this Handbook.



## B. *RIGHT TO FREE INQUIRY, EXPRESSION, AND PEACEABLE ASSEMBLY:*

As a community of scholars, the College encourages students through their recognized organizations in the right to examine and discuss questions and issues of interest to them. In their public expressions it must be made clear that they speak only for themselves as individuals or as an organization, and not the institution, or any segment thereof, nor for the larger community. The right of peaceable assembly, being fundamental to an opportunity for free inquiry and expression, is assured.

*Responsibility:* The quotation from Jefferson at the entrance of the Earl Gregg Swem Library reads: ". . . for here we are not afraid to follow truth wherever it may lead, nor to tolerate any error so long as reason is left free to combat it." It is obvious that the freedom so clearly delineated in the first part of the statement is dependent on the responsibility for reason admonished in the latter part.

It may be logically concluded, therefore, that the mutual responsibility of the College and the student organization seeking free inquiry, expression, and peaceable assembly is to assure an opportunity for a deliberative, reasoned approach to the resolution of issues by means of orderly procedures rather than by such outdoor, public displays as stifle dissent, and tend to incite emotion and passion that retard or eliminate the very process of reason and respect for rights of others that an academic institution purports to foster and protect.

It follows that the College will exercise the responsibility for providing a forum opportunity appropriate to the request at hand, and that the student organization involved will exercise the responsibility to schedule the event on the College Calendar sufficiently in advance to assure availability of a suitable facility. The Keeper of the Calendar will, with the assistance of the organization, assure: (1) necessary arrangements for fire prevention, safety of participants and facilities sought; (2) speakers who are not under indictment for, nor have been convicted of, a criminal offense involving moral turpitude; and (3) attendance restricted to the College family when there is any reason to believe that the presence of the public in general might promote disorder. When outdoor assemblies are scheduled, the same will be so located on the new campus as to avoid interference with the rights of those who are not members of the assembly and with the normal procedures of the College.\*

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\* The requirement that outdoor assemblies be held on the "new campus" was modified by action of the President during the fall of 1968 whereby the words "new campus" were eliminated.

*Implementation:* The Keeper of the College Calendar will schedule meetings in accordance with the aforementioned rights and responsibilities, and will follow the procedures as to organizations stated in the Student Handbook. When in doubt about the fulfillment of the responsibilities indicated above, he will consult with the College Scheduling Committee of which he serves as Secretary.

### C. STUDENT PUBLICATIONS:

*Right:* Editorial freedom has for many years been granted all William and Mary publications, the same being recognized as a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion on campus, in disseminating news, and as a training opportunity for students in creative writing and in obtaining journalistic experience (this is also applicable to the College Radio Station and the opportunity afforded by this medium of communication).

*Responsibility:* Since the student publications (also the Radio Station) are not independent corporations financially and legally separate from the College, the College in effect serves as the publisher and from this standpoint bears a legal responsibility for the contents of the publications, and programs of the Radio Station.

It follows, therefore, that in granting editorial freedom to student editors and managers and directors of the Radio Station, the College, as publisher, must insist that such freedom entail corollary responsibilities to be governed by the canons of responsible journalism such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo.

Further illustration of editorial responsibility is revealed by the following quotes from the currently effective Policy Statement of the Publications Committee (students and faculty), March 25, 1965:

1. The editors shall strive to produce all their material as accurately and honestly as possible.
2. The editors shall refrain from printing any libelous material.
3. The editors shall avoid printing any material that is obscene, or otherwise not in good taste.
4. They shall particularly consider in bad taste any expression, statement, or allusion which would ridicule, vilify, or slander personalities or groups of society. Each editor should consider the sensibilities of the community at large.

5. Keeping in mind the public concern for education and for William and Mary in particular, the editors will make every reasonable effort to avoid material which is likely to produce a seriously misleading impression of the College. This principle is not intended to imply, however, that the College does not always welcome considered statements of truth concerning its activities and policies.
6. The editors shall be responsible for submitting annual budgets and for producing their respective publications within the limits of their approved budgets, and in keeping with good business practice.

*Implementation:* The Board of Student Affairs (described in the Appendix to this statement), composed in membership of faculty, students, and administration, will implement the aforementioned to the end that the right of editorial freedom is protected and that the responsibilities pertinent thereto are exercised.\*

#### D. STUDENT INVOLVEMENT IN INSTITUTIONAL LIFE:

*Right:* The student has a right to become involved constructively in organizations and efforts to improve the living conditions of the campus and the processes of learning, the enhancement of the image of the College, and a larger opportunity for self-government characterized by orderly procedures and the exercise of mature judgment. The College reserves the right to take sufficient time to study proposals for change in regulations or procedures, the same having policy implications, this being necessary to avoid sudden, disruptive changes which might otherwise jeopardize institutional integrity or organizational obligations and commitments.

*Responsibility:* The College has reflected its responsibility in delegating self-government to students as evidenced by student membership on many College-committees. The Discipline Committee is a particularly significant example. The aforementioned Board of Student Affairs, (see Appendix to this statement) now established, affords an excellent opportunity for students to be heard on matters pertinent to the life of the College. The role of students in the operation of student affairs is set forth significantly in the constitutions and handbooks of the Student Association, Honor Code, Women's Dormitory Association, and Men's Dormitory Council Association.

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\* Implementation of Rights and Responsibilities with respect to student publications is subject to modification as a consequence of a report made by a Special Committee appointed by the President in April 1971 "to study and make recommendations regarding the status of the College newspaper, *The Flat Hat*." Action on the report was taken in the session 1971-72.

The College has a responsibility to communicate as clearly as possible its educational mission, and the duties of the respective College officials, deans and staff. Such communication is essential for an informed student body, and at the same time, the College has a responsibility to be receptive to communication from students and to provide organizational channels for the same.

The student has a responsibility to evidence a constructive approach in the exercise of self-government opportunities already available, and in seeking others. When students, individually or organizationally, have a grievance or concern about some deficiency in maintenance of College services, they have a moral responsibility to convey the same to the appropriate College official whose duties involve responsibility of the specific matter at hand whereby he may have a reasonable opportunity to resolve the problem without it having first been aired publicly. Those having a concern for changes in student regulations or the procedures involved in their administration, have a responsibility to present the same to the Board of Student Affairs (see Appendix to this statement) and the Board has a responsibility to accord due consideration to the same.

*Implementation:* The Board of Student Affairs (described in the Appendix to this statement) being representative of the College—students, faculty, and administration— will endeavor to implement the aforementioned rights and responsibilities pertinent to involvement in institutional life.

The Board will encourage forums and seminars representative of College officials, deans, faculty, and students whereby a free exchange and discussion of ideas and concerns pertinent to the life of the individual and the institution may be experienced, the same permitting the opportunity for constructive dissent that should be expected in any worthy two-way communication process.

It is through this medium, and in this spirit, that those having the welfare of the College at heart, as well as their own concerns, will have full opportunity for participation and involvement.

Proposals, carefully studied and documented by the Board of Student Affairs, involving policy changes in College regulations and requirements affecting student life, will be brought to the attention of the Administrative Council for review and recommendation to the President. (This Council will be established commencing with the Session 1968-69 as an administrative policy-making and advisory body in matters affecting the College as a whole. It will not consider individual appeals from the Academic Status Committees, Discipline Committee, or Honor Council decisions, nor in matters primarily academic, such as grades, course offerings

and the like—all such matters already being provided for under existing procedures.)\*

In addition to the aforementioned opportunities for student involvement to be encouraged and promoted by the Board of Student Affairs, the President of the College will, from time to time, arrange for student representatives chosen by the Board of Student Affairs to meet with the Board of Visitors for the purpose of mutual exchange of views on matters pertinent to the College and student life in particular.

## APPENDIX

The Board of Student Affairs was established in 1968. Its members represent students, faculty, and administration. The Board replaced and thereby assumed the functions of the previously existing Student Activities Fee Committee,<sup>†</sup> the General Cooperative Committee, and the Publications Committee.

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\* Action of the President during the fall of 1968 eliminated the requirement that policy changes in College regulations and requirements affecting student life be channeled through the Administrative Council.

† The Student Activities Fee will be allocated to the approved organizations by the Board of Student Affairs. Expenditure of funds so allocated must be in accordance with established policies and practices of the College and the Commonwealth of Virginia.

# ADDENDUM

## DISRUPTIVE CONDUCT

### A. DEFINITIONS

The College of William and Mary is a community of scholars existing to promote the advancement of learning, the encouragement of scholarship and the transmission of knowledge. As a publicly supported institution of learning, it endeavors to make its programs and resources available not only to the community of scholars but, to the extent feasible, to the public as well.

To attain its mission as an educational institution and to accomplish maximum utilization of its resources, it is essential that each student respect and recognize the authority of the College to engage in normal programs and activities. Violent or disruptive behavior which interferes with the conduct of normal programs and activities of the College cannot be tolerated. In this context, the following definitions are applicable:

1. *Normal Functions and Activities.* A normal function or activity is any lawful program, activity, operation, function or event carried on by the College, or conducted under the auspices of, sponsorship by, or with the permission of, the College on property owned by or permitted to be used by the College, and any lawful activity by members of the College community conducted under College sponsorship whether or not conducted on property owned by the College. Normal functions and activities include, but are not limited to, the conduct of educational activities, the carrying on of cultural, recreational and athletic programs and events, the maintenance of security and protection of persons and property, the care of buildings and grounds, the allocation of facilities and space for use by organizations and groups, the maintenance of pedestrian and vehicular traffic conditions permitting movement within buildings and on roads and walks free of unreasonable obstruction, and the performance of duties by members of the faculties and staff of the College.
2. *Disruptive Conduct.* Disruptive conduct consists of:
  - (a) Any willful act of violence, force, coercion, arson, sabotage, trespass, obstruction or interference by presence, noise or otherwise that obstructs or disrupts any normal function or activity of the College. Such acts include, but are not limited to, willful or



wanton destruction of College property, seizure of College buildings, unreasonably obstructing passage of others through corridors or at entrances and exits, falsely reporting the presence of bombs or explosives on campus, participation in a riot, unauthorized presence in a building after normal closing hours or after notice that the building is being closed, physical detainment of a member of the administration, staff, or faculty against his will, or entering onto a drill, practice or playing field with intent to, or awareness that such entry will, obstruct or prevent the conduct of any drill, practice or athletic event, or program in connection therewith by any class, team or group authorized to use such location.

(b) Any failure to comply with a request to move on, to vacate an area or to desist a particular course of conduct where such request is made by an authorized person in the reasonable and good faith belief that compliance with the request is necessary to the safety and welfare of the person or persons so requested or others, or to the maintenance or restoration of the normal functions and activities of the College. For this purpose, an authorized person is the President of the College, the Executive Vice President, the Vice President for Student Affairs, the Dean of Students and the Dean of any school or faculty, any member of the campus security police and any law enforcement officer or conservator of the peace, and any person specifically authorized by the President orally or in writing who, in making such request gives notice of the authority given him by the President.

(c) Any failure to comply with the terms of any curfew imposed by the President or the Executive Vice President for the purpose of restoring or maintaining the security of persons and property.

## B. PROHIBITED CONDUCT

No student shall commit any act which amounts to disruptive conduct as defined in this regulation, nor knowingly participate with others in conduct which amounts to disruptive conduct.

## C. PENALTY AND PROCEDURE

Any person engaging in prohibited conduct hereunder may be charged with a violation of this regulation and such charge shall be heard in accordance with the established disciplinary procedures of the College. In all cases of action by the Discipline Committee, appeals may be made to the President by an aggrieved student. Any conduct prohibited in Section B may result in penalties of reprimand, probation,



suspension for a specified period or dismissal, depending upon the gravity of the particular conduct involved and the presence or absence of extenuating circumstances.







